

Fill in this information to identify the case:

Debtor 1 Mary Ellen Sierra

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of California
(State)

Case number 13-55774

Form 4100R**Response to Notice of Final Cure Payment**

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

Part 1: Mortgage Information

Name of creditor: U.S. Bank Trust National Association, as Trustee of the Igloo Series III Trust Court claim no. (if known): 13

Last 4 digits of any number you use to identify the debtor's account: 9 3 0 7

Property address: 41 Flintwell Way
Number Street

San jose, CA 95138
City State ZIP Code

Part 2: Prepetition Default Payments

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ _____

Part 3: Postpetition Mortgage Payment

Check one:

- ☐ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: / /
MM / DD / YYYY

- ☒ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$ 34,090.08
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ 0.00
- c. **Total.** Add lines a and b. (c) \$ 34,090.08

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

11/1/2015
MM / DD / YYYY

Debtor 1

Mary Ellen Sierra

First Name

Middle Name

Last Name

Case number (if known) 13-55774

Part 4: Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

Part 5: Sign Here

The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.

Check the appropriate box::

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

X /s/ Kristin A. Zilberstein

Signature

Date 12 / 20 / 2018

Print

Kristin A. Zilberstein

First Name

Middle Name

Last Name

Title Authorized Agent for Creditor

Company

The Law Offices of Michelle Ghidotti

If different from the notice address listed on the proof of claim to which this response applies:

Address

1920 Old Tustin Ave.

Number

Street

Santa Ana, CA 92705

City

State

ZIP Code

Contact phone (949) 427 - 2010

Email kzilberstein@mghidotti.com

BK Case	13-55774	* Prior to 12/2011 payment changes were not required to be filed in courts or with Proof of claim			
BK Filing Date	10/31/2013				
First Post pet date	11/1/2013				
Pmt Change Filed	Filing Date	Effective date	Amount		
POC pmt Filed	2/27/2014	10/1/2013	\$ 782.36		
Pmt Change Filed	11/7/2014	12/1/2014	\$ 1,071.69		
Pmt Change Filed	2/19/2015	2/1/2015	\$ 1,071.68		
Pmt Change Filed	6/26/2017	8/1/2017	\$ 2,381.46		
Pmt Change Filed	8/9/2017	9/1/2017	\$ 2,561.76		
Date Rcvd	Amount Rcvd/Rvd		Amount Due	Due Date	Suspense
10/05/2016	\$145.46				\$ 145.46
12/02/2016	\$1,200.00		\$ 1,071.68	4/1/2015	\$ 273.78
04/26/2017	\$1,200.00		\$ 1,071.68	5/1/2015	\$ 402.10
4/17/2018	\$1,500.00		\$ 1,071.68	6/1/2015	\$ 830.42
7/25/2018	\$1,500.00		\$ 1,071.68	7/1/2015	\$ 1,258.74
10/2/2018	\$1,500.00		\$ 1,071.68	8/1/2015	\$ 1,687.06
11/20/2018	\$1,500.00		\$ 1,071.68	9/1/2015	\$ 2,115.38
			\$ 1,071.68	10/1/2015	\$ 1,043.70
due			\$ 1,071.68	11/1/2015	\$ -27.98
			\$ 1,071.68	12/1/2015	\$ -1,099.66
			\$ 1,071.68	1/1/2016	\$ -2,171.34
			\$ 1,071.68	2/1/2016	\$ -3,243.02
			\$ 1,071.68	3/1/2016	\$ -4,314.70
			\$ 1,071.68	4/1/2016	\$ -5,386.38
			\$ 1,071.68	5/1/2016	\$ -6,458.06
			\$ 1,071.68	6/1/2016	\$ -7,529.74
			\$ 1,071.68	7/1/2016	\$ -8,601.42
			\$ 1,071.68	8/1/2016	\$ -9,673.10
			\$ 1,071.68	9/1/2016	\$ -10,744.78
			\$ 1,071.68	10/1/2016	\$ -11,816.46
			\$ 1,071.68	11/1/2016	\$ -12,888.14
			\$ 1,071.68	12/1/2016	\$ -13,959.82
			\$ 1,071.68	1/1/2017	\$ -15,031.50
			\$ 1,071.68	2/1/2017	\$ -16,103.18
			\$ 1,071.68	3/1/2017	\$ -17,174.86
			\$ 1,071.68	4/1/2017	\$ -18,246.54
			\$ 1,071.68	5/1/2017	\$ -19,318.22
			\$ 1,071.68	6/1/2017	\$ -20,389.90
			\$ 1,071.68	7/1/2017	\$ -21,461.58
			\$ 2,381.46	8/1/2017	\$ -23,843.04
			\$ 2,561.76	9/1/2017	\$ -26,404.80
			\$ 2,561.76	10/1/2017	\$ -28,966.56
			\$ 2,561.76	11/1/2017	\$ -31,528.32
			\$ 2,561.76	12/1/2017	\$ -34,090.08

Michelle R. Ghidotti-Gonsalves, Esq. (SBN 232837)
Kristin A. Zilberstein (SBN 200041)
LAW OFFICES OF MICHELLE GHIDOTTI
1920 Old Tustin Ave.
Santa Ana, CA 92705
Ph: (949) 427-2010
Fax: (949) 427-2732
mghidotti@ghidottilaw.com

Authorized Agent for Creditor
U.S. Bank Trust National Association,
as Trustee of the Igloo Series III Trust

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

In Re:) CASE NO.: 13-55774
)
MAR ELLEN SIERRA,) CHAPTER 13
)
Debtor.) **CERTIFICATE OF SERVICE**
)
)
)
)
)

CERTIFICATE OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is: 1920 Old Tustin Ave., Santa Ana, CA 92705.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.

On December 20, 2018 I served the following documents described as:

- RESPONSE TO NOTICE OF FINAL CURE PAYMENT**

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

(Via United States Mail)

Debtor

Mary Ellen Sierra
41 Flintwell Way
San Jose, CA 95138

Trustee

Devin Derham-Burk
P.O. Box 50013
San Jose, CA 95150-0013

Debtors' Counsel

Scott J. Sagaria
Law Offices of Scott J. Sagaria
3017 Douglas Blvd. #200
Roseville, CA 95661

U.S. Trustee

Office of the U.S. Trustee / SJ
U.S. Federal Bldg.
280 S 1st St. #268
San Jose, CA 95113-3004

xx (By First Class Mail) At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

 Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the Eastern District of California

xx (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 20, 2018 at Santa Ana, California

/s / Steven P. Swartzell

Steven P. Swartzell